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BY E-MAIL

Hon. Paul A. Crotty
United States District Court for the
Southern District of New York
500 Pearl Street
Room 735
New York, NY 10007-1312

Re: *Bayer Schering Pharma AG et al. v. Sandoz, Inc. et al.*, No. 2:08 CV 3710 (PAC)
Plaintiffs' Request For Extension Of Time To Respond To Sandoz's Counterclaims

Dear Judge Crotty:

We are co-counsel for plaintiffs Bayer Schering Pharma AG and Bayer Healthcare Pharmaceuticals, Inc. ("Bayer Schering"). We write to request an extension of time until September 26, 2008 to respond to Sandoz, Inc.'s ("Sandoz") Counterclaims. Bayer Schering's response to Sandoz's Counterclaims is currently due on July 31, 2008. No prior request for an extension of time has been made and Sandoz has consented to this request.

All of the defendants in this action waived service of the summons and their responses were due July 14, 2008. Watson Pharmaceuticals, Inc. and Watson Laboratories, Inc. (collectively "Watson") sent a letter to your Honor on July 11, 2008 requesting a 60-day extension to respond. Also on July 11, 2008, Sandoz filed its Answer, Affirmative Defenses and Counterclaims.

Bayer Schering consents to Watson's request for an extension, which, if granted, would give Watson until September 12, 2008 to respond to Bayer Schering's Complaint. As indicated in Watson's letter to your Honor, it is expected that Watson may challenge personal jurisdiction. In addition, Sandoz has asserted twelve counterclaims, many of which involve complex factual and legal issues. Bayer Schering would like to fully investigate the issues raised in Sandoz's Counterclaims and to file a single omnibus reply after both parties have answered. Accordingly, Bayer Schering requests that its time to file a response to Sandoz's Counterclaims be extended until September 26, 2008.

MEMO ENDORSED

MEMO ENDORSED


ROPES & GRAY LLP

Hon. Paul A. Crotty

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July 18, 2008


Respectfully submitted,



Matthew A. Traupman

MAT:mat

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JUL 18 2008
SO ORDERED

HON. PAULA A. CROTTY
UNITED STATES DISTRICT JUDGE